

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KELVIN FRAZIER and ARIEL ALVAREZ, on behalf of	:
themselves and all others similarly situated, and KENNETH	:
HOYTE, individually,	: Case No.: 24 Civ. 7364 (AYS)
	:
Plaintiffs,	:
- against -	:
	:
LOOKS GREAT SERVICES, INC.,	:
	:
Defendant.	:
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**STIPULATION AND ORDER REGARDING CONDITIONAL CERTIFICATION,
ISSUANCE OF COLLECTIVE ACTION NOTICE, AND
DISCLOSURE OF CONTACT INFORMATION**

Plaintiffs and Defendant, by and through their undersigned counsel, hereby stipulate and agree as follows upon the following premises.

WHEREAS, Plaintiffs commenced this action, bringing claims under the Fair Labor Standards Act, as a collective action and under the New York Labor Law, as a class action, in the United States District Court for the Eastern District of New York; and,

WHEREAS, Plaintiffs allege that they were employed by Defendant as Crew Members for Defendant's business, and seek to represent a collective and class comprised of similarly situated workers under the Fair Labor Standards Act and New York Labor Law; and,

WHEREAS, instead of expending resources litigating Plaintiffs' anticipated motion for collective action conditional certification and notice pursuant to 29 U.S.C. § 216(b), the parties, without prejudice to Defendant's rights to challenge collective action certification at a later date, have negotiated the terms of a proposed notice to be sent to members of the alleged collective ("the Notice") and the process for disseminating the Notice;

WHEREAS, the parties have reached agreement on the scope, form and manner of distribution of the Notice in this matter, subject to the Court's approval; and

NOW THEREFORE IT IS STIPULATED AND AGREED AS FOLLOWS:

1. Within 14 business days after the Court has "So Ordered" this Stipulation, Defendant shall provide to Plaintiffs' counsel the names, last known mailing addresses, last known telephone numbers, last known personal email addresses, and dates of employment of all Crew Members, as defined in Paragraphs 2 and 10 of the Complaint, employed by Defendant at any point in time from August 9, 2021 ("Collective List" or "putative collective members") for the purpose of mailing the Notice as set forth herein.

2. Within 21 days after Plaintiffs' receipt of the Collective List noted in Paragraph 1, Plaintiffs' counsel shall mail the Notice (attached as Appendix A to this Order) to each individual on the Collective List and email the Notice (using the form email attached as Appendix B) to the individuals on the Collective List for which Defendant provided a last known email address. Plaintiffs' counsel may re-mail notice to any putative collective member whose Notice is returned as undeliverable, with a forwarding address.

3. Within 37 days after the start of the Notice Period, Plaintiffs' counsel shall send a Reminder Notice (attached as Appendix C to this Order) to all putative collective members who have not returned a consent form by the 30th day of the Notice Period.

4. All names and contact information on the Collective List provided by Defendant to Plaintiffs' counsel shall remain confidential pursuant to this Court's Stipulation and Order regarding Confidential Information.

5. The individuals on the Collective List shall have 60 days from the date on which the Notice is mailed (the "Opt-in Period") to return the "Consent to Join" form in the manner set forth in the Notice. Individuals whose initial Notice is returned as undeliverable and for whom a

forwarding address is supplied shall have 10 additional days from the date on which a second Notice is sent to return the "Consent to Join" form to Plaintiffs' counsel. Only individuals submitting a "Consent to Join" form by the deadlines set forth herein shall be eligible to join the collective action in this matter unless Defendant consents otherwise, in writing, or Plaintiffs make an application to the Court demonstrating that good cause exists for accepting any untimely submission.

6. During the 60-day Opt-in Period, which putative class members may opt-in to the lawsuit, Defendant shall post a copy of the Notice of Lawsuit in a conspicuous location.

7. Within seven days of receipt of a "Consent to Join" form, Plaintiffs' counsel shall electronically file such form via the Court's electronic case filing system ("ECF") on the docket in this matter.

SO STIPULATED AND AGREED

Dated: January 27, 2025

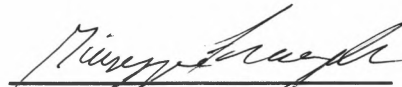
KESSLER MATURA P.C.



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tkessler@kesslermatura.com
gkaske@kesslermatura.com
bgoldstein@kesslermatura.com

*Attorneys for Plaintiffs and
the Putative Collective and Class*

BOND SCHOENECK & KING PLLC



Giuseppe Franzella
Bond, Schoeneck & King, PLLC
225 Old Country Road
Melville, NY 11747
gfranzella@bsk.com

Attorneys for Defendant

SO ORDERED:

Hon. Anne Y. Shields
United States Magistrate Judge

EXHIBIT A to
Stipulation and Order Regarding Conditional Certification,
Issuance of Collective Action Notice, and Disclosure of Contact Information

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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 KELVIN FRAZIER and ARIEL ALVAREZ, on behalf of :
 themselves and all others similarly situated, and :
 KENNETH HOYTE, individually, : **Case No.: 24 Civ. 7364 (AYS)**

Plaintiffs, :

- against - :

LOOKS GREAT SERVICES, INC., :

Defendant. :
 ----- X

COURT-AUTHORIZED NOTICE OF LAWSUIT

**If you worked for Looks Great Services as a Crew Member at any time since
 August 9, 2021, a collective action lawsuit may affect your legal rights:**

You are NOT being sued. This Notice is NOT a solicitation from a lawyer. The Court authorized this Notice.

Plaintiffs are former Crew Members employed by Looks Great Services, Inc. ("LGS"). Plaintiffs brought this lawsuit against LGS on behalf of themselves and all other potential, current, and former Crew Members employed by LGS after August 9, 2021. Plaintiffs claim that LGS did not pay its Crew Members overtime wages due to them. LGS denies any wrongdoing and maintains that Crew Members have been paid in compliance with all applicable overtime laws.

This notice and its contents have been authorized by the United States District Court, Eastern District of New York. The Court has taken no position in this case regarding the merits of the parties' claims and defenses.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	<p>If you choose to be included in this collective action, you will be bound by any ruling, settlement, or judgment in this case. You may also share in any proceeds from a settlement or judgment if those bringing the claims are successful. If you choose to be included, you will give up any right to separately sue LGS about the same legal claims in this lawsuit.</p> <p>If you want to be included, you must complete and return the "Consent to Join" form included with this Notice by no later than [60 days from mailing].</p>
DO NOTHING	<p>By doing nothing, you will not be included in this lawsuit for the purpose of asserting an overtime claim under federal law. This means that you give up the possibility of getting money or benefits that may come from a trial or settlement of the overtime wage claim under federal law asserted in this lawsuit, if those bringing the lawsuit are successful.</p>

This notice contains information that affects your rights. Please read it carefully.

Why did I get this notice?

You are getting this notice because LGS's records show that you were employed as a Crew Members between August 9, 2021, and the present. Plaintiffs sued LGS claiming it violated the federal overtime law and certain provisions of the wage-and-hour law of New York State.

What is a collective action and who is involved?

In a collective action lawsuit, one or more persons can bring a lawsuit on behalf of others who have similar claims. The individuals who brought this lawsuit, Kelvin Frazier, Ariel Alvarez, and Kenneth Hoyte, are called Plaintiffs. The corporation that they have sued, LGS, is the Defendant. One court resolves the issues for everyone who decides to join the case.

What is this collective action lawsuit about?

This collective action lawsuit is about whether LGS's compensation practices violate the overtime laws. The lawsuit alleges that LGS violated the federal and state wage law by not paying Plaintiffs and other Crew Members overtime wages at the proper rate. Plaintiffs are seeking to recover unpaid wages, in addition to liquidated damages, attorneys' fees, and costs.

LGS denies any wrongdoing or liability. LGS maintains that all Crew Members were paid for all overtime hours worked at the proper rate and were otherwise paid in compliance with all applicable overtime laws.

How do I join this collective action lawsuit?

To participate in this lawsuit through the Plaintiffs' attorney, you must fill out the enclosed form called "Consent to Join" and mail it in the enclosed, postage-paid envelope to Plaintiffs' lawyers. Should the enclosed envelope be lost or misplaced, the "Consent to Join" Form must be sent to:

Kessler Matura P.C.
534 Broadhollow Road, Ste. 275
Melville, New York 11747

You can also fax the signed form to 631-499-9120 or scan and email it to bgoldstein@kesslermatura.com.

The signed "Consent to Join" form must be postmarked, faxed, or e-mailed by **[60 days from mailing of notice]**. If your signed "Consent to Join" form is not postmarked, faxed, or e-mailed by **[60 days from mailing of notice]**, you may not be allowed to participate in the federal law portion of this lawsuit.

You have a right to be represented by your own attorney, but you will be responsible for making arrangements for payment of the fees of the attorney you select. The attorney you hire must file with the court a "Consent to Join" form by **[60 days from mailing of notice]** and must enter a formal appearance as attorney on your behalf.

What happens if I join this lawsuit?

You will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. If there is a favorable resolution, either by settlement or judgment, and you qualify under the law, you will be entitled to some portion of the recovery.

If you join this lawsuit and send your "Consent to Join" form to Kessler Matura P.C., you agree to have the Plaintiffs and their counsel act as your representative and make decisions on your behalf concerning the case,

including approving any settlement. Decisions made and agreements entered into by the Plaintiffs and their counsel will be binding on you if you join this lawsuit, subject only to the Court's discretion. If you hire your own attorney, you will be bound by decisions and agreements that your attorney makes on behalf of this lawsuit.

If you join this lawsuit, you may be asked to give testimony and information about your work for Defendant to help the Court decide whether you are owed any money. Plaintiffs' counsel will assist you with this process. For this reason, if you join this lawsuit, you should preserve all documents relating to your employment currently in your possession.

What happens if I do nothing at all?

You will not be included in this lawsuit for the purpose of asserting an overtime wage claim under federal law. Therefore, you will not be entitled to any recovery in this case should there be any for those claims. The limitations period on your claims will continue to run.

If I join, will there be any impact on my employment?

No. The law prohibits LGS from discharging or retaliating against you because you join this case or have in any other way exercised your rights under the law.

If I join this case, do I have a lawyer?

Plaintiffs are represented by Kessler Matura P.C., whose contact information is as follows:

Troy L. Kessler | Garrett Kaske | Benjamin A. Goldstein
Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747
Phone: (631) 499-9100
tkessler@kesslermatura.com | gkaske@kesslermatura.com | bgoldstein@kesslermatura.com
www.kesslermatura.com

If you join by sending your opt-in to the Plaintiffs' attorneys, Kessler Matura P.C. will represent you on a contingency fee basis, meaning you will not owe any attorneys' fees unless you are successful and win the case, or obtain a settlement.

Does LGS have a lawyer in this case?

LGS is represented by Subhash Viswanathan and Caroline Westover of Bond, Schoeneck & King, PLLC, One Lincoln Center, 110 West Fayette Street, Syracuse, NY 13202, (315) 218-8324, and Giuseppe Franzella of Bond, Schoeneck & King, PLLC, 225 Old Country Road, Melville, NY 11747, (631) 761-0800.

DATED: , 2025

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KELVIN FRAZIER and ARIEL ALVAREZ, on behalf of :
themselves and all others similarly situated, and :
KENNETH HOYTE, individually, : **Case No.: 24 Civ. 7364 (AYS)**

Plaintiffs, :

- against - :

LOOKS GREAT SERVICES, INC., :

Defendant. :
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CONSENT TO JOIN

If you received this form and want to join this lawsuit, please complete these **two steps**:

1. Complete and sign this consent to join lawsuit form; and
2. Use the enclosed envelope to return this form to the address below not later than **[60 days from mailing of notice]**.

Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747

You can also scan and email it to bgoldstein@kesslermatura.com.

I consent to join the collective action and authorize Kessler Matura P.C. to act on my behalf in all matters relating to this action, including any settlement of my claims.

Print Name

Signature

The following information will not be filed with the Court:

Address

City, State and Zip Code

Email Address

Telephone Number

Employment Start Date

Employment End Date

EXHIBIT B to
Stipulation and Order Regarding Conditional Certification,
Issuance of Collective Action Notice, and Disclosure of Contact Information

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:
Plaintiffs,	:
- against -	:
	:
LOOKS GREAT SERVICES, INC.,	:
	:
Defendant.	:
-----	X

PROPOSED EMAIL NOTICE

Court Authorized Message:

If you worked for Looks Great Services as a Crew Member at any time since August 9, 2021, a collective action lawsuit may affect your legal rights.

*Important: You are NOT being sued. This Notice is NOT a solicitation from a lawyer.
The Court authorized this Notice.*

Plaintiffs are former Crew Members employed by Looks Great Services, Inc. ("LGS"). Plaintiffs brought this lawsuit against LGS on behalf of themselves and all other potential, current, and former Crew Members employed by LGS after August 9, 2021. Plaintiffs claim that LGS did not pay its Crew Members overtime wages due to them. LGS denies any wrongdoing and maintains that Crew Members have been paid in compliance with all applicable overtime laws.

This notice and its contents have been authorized by the United States District Court, Eastern District of New York. The Court has taken no position in this case regarding the merits of the parties' claims and defenses.

Please review the attached notice carefully.

EXHIBIT C to
Stipulation and Order Regarding Conditional Certification,
Issuance of Collective Action Notice, and Disclosure of Contact Information

IMPORTANT REMINDER REGARDING
LOOKS GREAT SERVICES – UNPAID OVERTIME CASE

Within the past month, you should have received a Court-authorized Notice explaining that you may be eligible to participate in a collective action lawsuit against a Looks Great Services, Inc. on behalf of current and former Crew Members. If you have any questions about the Notice, if you did not receive it, or no longer have it, you can contact Plaintiffs' counsel at 631-499-9100 or bgoldstein@kesslermatura.com

IMPORTANT: Our records indicate that you have not submitted a Consent to Join Form. If you want to participate in the collective action lawsuit, you must complete a Consent to Join Form and return it by mail or email to:

Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747
bgoldstein@kesslermatura.com

To participate in this lawsuit, your Consent to Join Form must be postmarked, faxed, or emailed no later than [60 days from mailing of Notice].

Kessler Matura P.C.
534 Broadhollow Road, Ste. 275
Melville, New York 11747

[postage]

[first name] [last name]
[address] [address2]
[city], [state] [zip]